



REGULAR MEETING OF THE  
POLICE STANDARDS ADVISORY COUNCIL  
OCTOBER 19, 2016

I. CALL TO ORDER

Chairman Matthew McCarthy called the monthly meeting of the Police Standards Advisory Council to order at 9:04 AM. A current copy of the Nebraska Open Meetings Act was on hand and available for reference. Notice of the meeting was published in the Lincoln Journal Star on Saturday, October 8, 2016. Roll call of members; Mr. Matthew McCarthy, Sheriff Jerry Watson, Sheriff Larry Koranda, Chief Timothy Larby, Captain Genelle Moore, Lieutenant Colonel Thomas Schwarten and Chief Tracy Wolf.

II. APPROVAL OF SEPTEMBER 21, 2016 P.S.A.C. MINUTES

MOTION

Sheriff Larry Koranda motioned to approve the minutes as presented. Captain Genelle Moore seconded the motion. Voting in favor of the motion; Mr. McCarthy, Sheriff Watson, Sheriff Koranda, Chief Larby, Captain Moore, and Chief Wolf. Lt. Colonel Schwarten abstained.

III. ACADEMY REPORTS

A. Director – N.L.E.T.C.

Mr. Muldoon reviewed the Director's report passed out prior to the meeting stating the Infrastructure Support position was vacant as of last month, the position description has been updated and posted the position, interviewed five candidates this week and we are down to two, on Friday there was a freeze on hiring state employees, so I spent time writing a justification and seeing if we could get an exception to get a replacement for the position especially considering we are all the way through the process before they announced the freeze. The position is pretty critical.

The Department of Administrative Services Director toured the facility last month and next month there will be more strategic planning and hopefully a master plan with Training Center needs. With regard to the gun range, the systems, gauging what our needs are going into the future. As they get closer and closer to our facility it is certainly a concern with an outdoor gun range in that close of proximity to people. Their enplanements have gone from 36,000 in 2003 to 70,000 this year.

They are finishing up the roofing project. They were finishing up the punch list on this part yesterday. Almost anytime you will start to see scaffolding in the lobby again where they take out the pyramid structure and then they are going to enclose the balcony that is over the south entrance where the students come in for the dorms. It captures a lot of snow, there are roof leaks,

so it is their intent to enclose it and eventually knock out the windows from the current student lounge and make the area bigger. 309 money will pay for it. They have been out a couple times and toured the facility and we are very appreciative that they take interest in the facility because 309 is money we pay as depreciate to the Department of Administrative Services so it is good they are taking care of the facility.

There is a lieutenant who communicates with Deputy Director Urbanek and we share the communications on how to get this academy going. Chapter 16 talks exactly how to do this but I would note that it has never been done before. I have referred them to the chapter and the timelines and notifications that need to be made. Because they are going to training other academy people, they are going to have to follow our academy curriculum, line by line, lesson plan by lesson plan. We know when the time comes they are going to need our lesson plans. That raises some concern over testing because we do not plan to give our test bank to them without coming ourselves to proctor the test.

There was another lieutenant who approached Executive Director Darrell Fisher about considering a rule change as chapter 16 does not address a five agency academy (Sarpy County, Douglas County, Bellevue, Papillion and La Vista Police Departments). I believe there is a preference on their part that the rule recognize the new five agency academy organization whereas we have a preference of having to deal with one agency, one academy as provided by existing rule. They are having a meeting of their stakeholders in November, but at some point, I would like to bring a member or two of the Council and form an ad hoc committee as this Sarpy County Academy takes form. One thing the rule makes clear is a very active role of the Council in running this. We will facilitate and do everything that is required by rule on our part, but I think when you start dealing with five agencies and the prospect of dismissals, test failures, operations, I think you can see almost immediately, this concept is going to have to be a very good idea with a lot of consensus with everyone involved.

Both Deputy Director Urbanek and I have been cooperating and listening and giving advice according to Chapter 16, but until we receive a formal request and a check for \$1,000 stating who their director of training is, that is when the rubber hits the road and we will really start to do something.

#### **B. Deputy Director of Training – N.L.E.T.C.**

Ms. Urbanek stated the 194<sup>th</sup> Basic Training Session was in week 12 with 46 students. Only one student needs to complete one physical task.

No courses were cancelled the last month.

The 195<sup>th</sup> PRET testing will be held November 15<sup>th</sup>. I read a story last week about an academy back east where they had a guy show up to run the mile and a half and other stuff and it wasn't the person who it was supposed to be so candidates will arrive at the Training Center, provide proof of identification and sign a waiver, then they will go to the Heartland Event Center for testing and we will know that afternoon who has made it. I do not know how many will test.

I attended the first day of Omaha's Academy to see how they conducted their physical entrance testing. They had 57 incoming recruits; OPD utilized what is known as the law enforcement standards from Cooper and chose 30% in each category and 7 students did not meet the standards; I am not sure what they have done with them. When I asked Lieutenant Scott why they choose 30%, she stated that is what you do, I clarified with her what we do, and she said that they chose the 30% in each category because we have a 30% overall and I said I could go with that. I consider they exceed our entrance standard using the Cooper test with those numbers.

Tomorrow the COPS Conference will be held here with approximately 200 Community College students on site attending various demonstrations referencing law enforcement. NSP, LPD, Hall County S.O., Grand Island P.D., and the Training Center are all helping with it. We are the home base for all the community colleges to bring their students in who have an interest in law enforcement. We do this every other year on site and the odd years are the Federal training.

195<sup>th</sup> Basic Training Session is set to begin December 4<sup>th</sup> with graduation on March 24<sup>th</sup>.

#### **C. Nebraska State Patrol**

Captain Duis stated SWAT Basic recently concluded.

NSP will be assisting with the COPS Conference tomorrow.

The 2<sup>nd</sup> session of 17 In-Service sessions is currently being conducting.

We are approaching the background portion of our hiring process.

#### **IV. CRIME COMMISSION REPORT**

Mr. Muldoon stated Mr. Fisher was contacted by Senator Pansing Brooks Office that the meeting regarding PSAC was supposed to take place on Thursday, October 20<sup>th</sup>, having been given zero notice there was no way a member of the Council could be present.

On the Revocation side there were two active cases; one case was still active and another was awaiting a decision on whether or not we would go forward.

Mr. Stolz stated one revocation was dismissed by the Commission and Byron Wilkinson's Consent Decree was accepted by the Commission.

Chapter's 3 and 11 made it through the Crime Commission and will now go to the Attorney General's Office for review. We should have them up and running by the start of the New Year.

A Body Worn Camera Policy is in place, what has come out of the Commission was policies must have a section on training, retention, disposition or destruction and those were approved as all the requirements listed there. There was debate on the other subsections but what the

Commission did was say that every policy must address use. They did not go into specifics on how or when to use a body worn camera but every policy must deal with use. Now there are sections in this policy that deal with use and restrictions and supervisor review and officer access but those are more or less best practice if an agency develops their own body worn camera policy, they have to have the sections on training, retention and disposition and they have to have a policy on use but it doesn't have to meet what the Commission's policy on use says. However, if an agency does not elect to have their own Body Worn Camera Policy, then they have to follow what's in the Crime Commission's.

I am working on the revisions right now, essentially we had our policy, the Attorney General's Office came up with a variation and then through testimony we amended it in parts and so hopefully I will have it done by this week to get it out to the Crime Commission to post it on their website. The statute says it will take effect January 1, 2017.

## **V. OLD BUSINESS**

No old business

## **VI. NEW BUSINESS**

### **A. 2017 Projected Enrollments**

Currently the Council has allocated all seats to students employed by an agency with an exception that any unfilled seats could go to not employed students up to 10% of the class. Due to classes running full and an anticipated full 2017 classes, Mr. Muldoon recommended the same allocation.

### **MOTION**

Sheriff Koranda motioned to go along with the Director's recommendation on projected enrollments for 2017. Lieutenant Colonel Schwarten seconded the motion. **Voting in favor** of the motion; Sheriff Watson, Sheriff Koranda, Chief Larby, Captain Moore, Lieutenant Colonel Schwarten, Chief Wolf, and Mr. McCarthy.

### **B. Sheriff's Continuing Education Report**

Ms. Fielding reported 36 sheriffs had completed 20 hours of continuing education, 9 had partial hours and 48 had zero hours.

### **C. Professional Instructor Certification/Recertification**

#### **Legal Recertification**

David Babcock – Nebraska State Patrol

#### **Professional Certification**

Joseph Fisher – Lincoln Police Department

Elizabeth McQueen – Lincoln Police Department  
Andrew Vocasek – Lincoln Police Department

**Professional Recertification**

Nicholas Prescott – Omaha Police Department  
Brian Ward – Lincoln Police Department

**MOTION**

Sheriff Koranda motioned to approve Legal Recertification David Babcock of the Nebraska State Patrol, the Professional Certification of Joseph Fisher, Elizabeth McQueen, and Andrew Vocasek of the Lincoln Police Department and the Professional Recertification of Nicholas Prescott of the Omaha Police Department and Brian Ward of the Lincoln Police Department as presented by Deputy Director. Captain Moore seconded the motion. **Voting in favor** of the motion; Sheriff Koranda, Chief Larby, Captain Moore, Lieutenant Colonel Schwarten, Chief Wolf, Mr. McCarthy, and Sheriff Watson.

**D. 2017 State Basic Certification Curriculum**

Ms. Urbanek reviewed the curriculum as presented in Attachment #3 stating the total hours would be reduced from 643 to 636 accomplished by reviewing what we were doing in PT and skills block of instruction and we have moved up our skills block of driving, defensive tactics and firearms earlier in basic so that those skills can be applied more in depth in scenario based training later in the academy by doing that, that reduced the number of PT sessions we were going to have to try and get people in better shape before we did those skill sessions. Our philosophy with PT is they come in at least a 30% we want to get them up a little bit better, where they start to do the skills, where it tends to be physically demanding on them. Once we have completed the physical skills, we will do one ½ hour session three or four times just on ceremonial drill how to stand, march, walk those types of things. PT was reduced by 6.75 hours.

Other changes made; new items are underlined, deleted items are crossed out.

Sheriff Watson stated he had sent the curriculum out to the subcommittee and received no feedback.

**MOTION**

Captain Moore made a motioned that the Council accept the proposed 2017 State Basic Certification Curriculum as presented. Chief Larby seconded the motion. **Voting in favor** of the motion; Chief Larby, Captain Moore, Lieutenant Colonel Schwarten, Chief Wolf, Mr. McCarthy, Sheriff Watson, and Sheriff Koranda.

**VII. OTHER BUSINESS**

Mr. McCarthy recognized the Nebraska State Patrol, Bill, Brenda and all those who are helping with COPS tomorrow; it is a big project for 200 college students, who are very excited to come see where you get to become a cop. Thank you very much, we appreciate it.

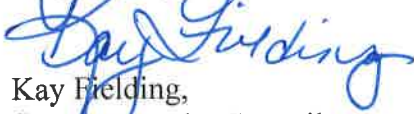
**A. Date, Time & Location of Next Meeting**

November 16, 2016; 2:00 P.M.

Lower Level A, 301 Centennial Mall South, Lincoln, Nebraska 68509

Hearing no further business the meeting adjourned at 10:12 A.M.

Respectfully submitted,



Kay Fielding,  
Secretary to the Council